

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BERNEDA ORNELAS,

Plaintiff,

v.

FIDELITY NATIONAL TITLE COMPANY OF
WASHINGTON, INC., FIDELITY NATIONAL
FORECLOSURE SOLUTIONS, PROVIDENT
BANK, PCFS MORTGAGE RESOURCES,
PDFS FINANCIAL SERVICES, INC.,
AMERIQUEST, WESTERN STATES
MORTGAGE CORP., LONG BEACH
MORTGAGE COMPANY,

Defendants

CASE NO. C04-2141RSM

ORDER ON PENDING MOTIONS

This matter is before the Court for consideration of plaintiff's Rule 56(f) motion to continue defendant's motion for summary judgment (Dkt. # 51), together with plaintiff's motion to compel (Dkt. # 49). Both motions were filed after the close of discovery and well after the deadline for filing such motions. They were also filed after plaintiff filed her response to the summary judgment motion. Plaintiff's motion to compel is accordingly DENIED as untimely. Plaintiff's motion to continue the motion for summary judgment is also DENIED, both as untimely and for failure to identify, by affidavit, what evidence she might elicit through further discovery to defeat summary judgment. *California v. Campbell*, 138 F. 3d 772, 779 (9th Cir.); *cert. denied*, 525 U.S. 822 (1998).

Dated: December 9, 2005



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE